

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>8/23/2022</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CREATIVE GLASSWARE INDUSTRIAL CO.,:	:	
LTD.,	:	SCHEDULING ORDER FOR
	:	<u>DAMAGES INQUEST</u>
Plaintiff,	:	
	:	
-v.-	:	22-CV-4074 (LLS) (JLC)
	:	
LIFESTYLE INTERNATIONAL LLC,	:	
	:	
Defendant.	:	
-----X		

JAMES L. COTT, United States Magistrate Judge.

On August 19, 2022, Judge Stanton referred this case to me to conduct an inquest into damages (Dkt. No. 24). The Court hereby directs plaintiff to make any additional submissions related to the inquest by **September 6, 2022**.

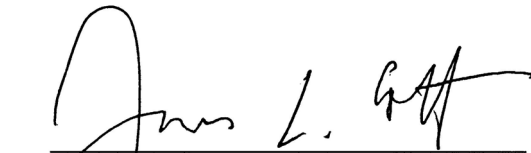
To the extent plaintiff seeks attorneys' fees, any such request must be supported by contemporaneous time records showing, for each attorney, the date of service, the hours expended, and the nature of the work performed. Counsel should file an affidavit providing the number of years each attorney has been admitted to the bar and their hourly rate. Counsel should also include charts related to any fees that they are seeking, in terms of hours and number of attorneys, if appropriate. Any additional submission shall include a paragraph or paragraphs setting forth the legal basis for any requested award of attorney's fees, including why, if applicable, the number of attorneys involved are entitled to fees. Finally, counsel should provide documentary evidence justifying an award of costs.

Plaintiff shall file proof of service of its additional submissions and include with its submissions a copy of this Order. Defendant shall submit its response to plaintiff's submissions no later than **September 20, 2022**. The Court will consider the matter fully submitted as of **September 20, 2022**.

The Court hereby notifies the parties that it may conduct this inquest based solely upon the written submissions of the parties. *See Bricklayers & Allied Craftworkers Local 2, Albany, N.Y. Pension Fund v. Moulton Masonry & Const., LLC*, 779 F.3d 182, 189 (2d Cir. 2015) (quoting *Action S.A. v. Marc Rich & Co.*, 951 F.2d 504, 508 (2d Cir. 1991)); *Cement & Concrete Workers Dist. Council Welfare Fund, Pension Fund, Annuity Fund, Educ. & Training Fund & Other Funds v. Metro Found. Contractors Inc.*, 699 F.3d 230, 234 (2d Cir. 2012) (citation omitted). To the extent that any party seeks an evidentiary hearing on the issue of damages, such party must set forth in its submission the reason why the inquest should not be conducted based upon the written submissions alone, including a description of what witnesses would be called to testify at a hearing and the nature of the evidence that would be submitted.

A courtesy copy of any document filed with the Court shall be sent or delivered to the undersigned.

Dated: August 23, 2022
New York, New York



JAMES L. COTT
United States Magistrate Judge